

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 08-11-25**

Date Published: November 20, 2008
For Work Week Commencing: November 24, 2008
Commission Meeting: November 25, 2008, 9:00 a.m.

General Introduction *This agenda is the Commission's Utility Division agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Qwest Corporation N2008.11.128 (Gary)

On November 6, 2008 Qwest Corporation (Qwest) filed for Commission approval a Multi-State Agreement (MSA) between Qwest and InfoUSA Marketing, Inc. (InfoUSA). Qwest is filing the MSA with the Commission for approval pursuant to the Commission's April 16, 2004 Notice of Commission Action (NCA) in Docket N2003.10.149. The MSA is the result of InfoUSA seeking pricing for their services and future service needs. InfoUSA accepted a contract proposal by Qwest. Also pursuant to the NCA, Qwest filed proprietary cost information. The services purchased by InfoUSA are available from other competitive carriers in addition to Qwest. Probable Motion: Move to approve the Qwest Corporation/InfoUSA Marketing, Inc. Multi-State Agreement in Docket No. N2008.11.128.

2. Qwest Corporation D2008.4.33 (Gary)

Qwest Corporation/Bandwidth.com CLEC, LLC - VoIP Amendment.
Qwest has filed for approval with this Commission a Voice over Internet Protocol (VoIP) amendment to the existing interconnection agreement between the parties in Docket No. D2008.4.33. The amendment adds terms, conditions and rates for the exchange of VoIP traffic. This amendment contains the VoIP language negotiated between Commission staff and Qwest for VoIP amendments. This amendment was voluntarily negotiated by the parties involved. Staff recommends approval of this amendment. Probable Motion: Move to approve the interconnection agreement amendment between Qwest Corporation and Bandwidth.com CLEC, LLC in Docket No. D2008.4.33.

3. Qwest Corporation D2006.12.186 (Gary)

Qwest Corporation/MCImetro Access Transmission Services, LLC - Interconnection Agreement Amendment. West Corporation filed for approval by the Commission a "Jointly Provided Switched Access (JPSA) amendment between the parties in Docket No. D2006.12.186. This amendment adds terms and conditions for the provision of JPSA service. This amendment was voluntarily negotiated by the parties involved. Staff recommends approval of this amendment. Probable Motion: Move to approve the interconnection agreement amendment between Qwest Corporation and MCImetro Access Transmission Services, LLC in Docket No. D2006.12.186.

4. Nemont Telephone Cooperative, Inc. D2007.12.148 (Gary)

Nemont Telephone Cooperative, Inc. and Gold Creek Cellular of Montana Limited Partnership d/b/a Verizon Wireless - Interconnection Agreement Amendment. Nemont has filed for approval with this Commission an interconnection agreement amendment between the parties in the above docket. This amendment amends the Point of Interconnection (POI) between Nemont and Verizon and the reciprocal compensation section of the agreement. This amendment was voluntarily negotiated by the parties involved. Staff recommends approval of this amendment. Probable Motion: Move to approve the interconnection agreement amendment between Nemont Telephone Cooperative, Inc. and Gold Creek Cellular of Montana Limited Partnership d/b/a Verizon Wireless in Docket No. D2007.12.148.

5. MDU Resources Group, Inc. DOCKET NO. D2008.11.125 (Eric)

On November 3, 2008, MDU Resources Group, Inc. applied for authority to issue over a two-year period \$150,000,000 of short-term financing in the form of unsecured promissory notes and/or commercial paper. The proceeds of these issuances will be used for funding the Company's capital requirements, for the refunding of its outstanding obligations, for corporate development purposes, and for other general corporate purposes. Probable Motion: Grant MDU's application to issue up to \$150,000,000 of short-term financing.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2008.9.106 – Triangle Telephone Cooperative Association, Inc./Central Montana Communications, Inc. and MTPCS, LLC d/b/a Cellular One – Interconnection Agreement – Discuss and act on the agreement. (11/25/08)
2. D2008.1.3 – Qwest/Ronan/Hot Springs – Referral from U.S. District Court Proceeding – Consider and rule on Qwest's Motion to Compel. (11/25/08)
3. Placeholder - D2008.1.3 – Qwest/Ronan/Hot Springs – Referral from U.S. District Court – Possible consideration of Qwest objections to Ronan/Hot Springs data requests and Ronan/Hot Springs objections to Qwest data request. (11/25/08)

4. N2007.5.50 – MDU – Integrated Resource Planning – Discuss any and all matters necessary to finalize and release the PSC's comments on MDU's 2007 IRP filing. (11/25/08)
5. N2008.7.81 – NorthWestern Energy – Medical Emergency Rule Application – Provide Commission with an update. (11/25/08)
6. N2008.11.134 – NorthWestern Energy – Medical Emergency Rule Application/Payment Arrangements – Request Commission intervention in establishment of a customer payment arrangement. (11/25/08)
7. D2003.8.109 – NorthWestern Energy – An Investigation of NWE's Financial and Related Transactions with NorthWestern Corporation, its Affiliates and Creditors That May Impair Its Financial Solvency and Public Utility Service Obligations – Staff update of NWE's progress implementing the six gas transmission and distribution Liberty audit recommendations. (11/25/08)
8. Placeholder – Public Information Requests from Lee Bureau and Mary Jo Fox – Discuss any matters related to these requests, including implementation of direction given at the 11/20 work session on these requests. (11/25/08)

Other Meetings

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

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| 1. <u>Citizens Telecommunications</u> | N2008.11.31 | (Scott) |
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On November 14, 2008 Citizens filed Advice Letter no. MT-08-08, New Bundled Service. The purpose of this filing is to introduce a new residential bundle called Frontier Digital Phone Plus. The company is requesting an effective date of December, 15, 2008.

2. NORTHWESTERN ENERGY, D2008.11.133 (JOEL)

On November 18, 2008, Northwestern Energy (NWE) filed an application requesting a special permit for a portion of Title 49, Part 192.481 of the pipeline safety code. NWE requests an extension from a three year atmospheric corrosion requirement to a four year requirement to coincide with their four year leak survey interval.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2008.11.130 – Qwest Corporation and QuantumShift Communications, Inc. d/b/a vCom Solutions – Application for Approval for Wireline Interconnection Agreement

N2008.11.131 – Citizens Telecommunications Company of Montana d/b/a Frontier Communications of Montana – Advice Letter No. 08-08 – New Bundled Service

D2008.11.132 – Energy West Incorporated – Application for Approval of its Acquisition and Transfer of Stock of Brainerd Gas Corporation, Great Plains Natural Gas Company Lighting Pipeline Company, and Great Plains Land Development Co., LTD

D2008.11.133 – NorthWestern Energy – Request for a Specific Special Permit to the Requirements of 49CFR192.481

N2008.11.134 – NorthWestern Energy – Request for Commission Intervention to Establish a Customer's Payment Arrangement